



STEVEN L. BESHEAR
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601
www.dep.ky.gov

LEONARD K. PETERS
SECRETARY

August 28, 2009

Mr. Robert J. Zik
Clintwood Elkhorn Mining Company
23956 ST Hwy 194E
Feds Creek, KY 41524

RE: KPDES No. KY0023965
Clintwood Elkhorn Mining Company
Pike County, Kentucky

Dear Mr. Zik:

Our records indicate that your Kentucky Pollutant Discharge Elimination System (KPDES) permit is due to expire August 31, 2010. Pursuant to the KPDES Regulation 401 KAR 5:060, Section 1(5) (a) and (b) Duty to reapply any POTW or permittee with a currently effective permit shall submit a new application at least 180 days before the expiration of the existing permit. In accordance with 401 KAR 5:060, Section 1(5)(c) the conditions of an expired permit shall continue in force until the effective date of a new permit if a complete and timely application has been submitted. A complete and timely application shall include all the elements required by 401 KAR 5:060, Section 1 (7) Information requirements and Section 1(8) KPDES permit fees which is deemed complete on or before 180 days before the expiration of your permit. Pursuant to 401 KAR 5:075, Section 1(2) the cabinet shall not begin processing of a permit until the applicant has fully complied with the requirements of 401 KAR 5:060, Section 1.

Enclosed for your convenience are the required application forms for obtaining a new permit. Please note that completion of these forms requires the collection and analysis of the discharge and that pursuant to 401 KAR 5:075, Section 1(4) the cabinet has up to 60 days to determine if the application is complete. Incomplete applications shall be returned to the applicant to correct deficiencies. Failure to submit a complete application 180 days prior to the expiration of the permit shall result in the termination of the permit and may result in appropriate enforcement action. Therefore it is recommended that the application be submitted to the Surface Water Permits Branch, Division of Water, at the above address as soon as possible.

If you have any questions regarding the completion of these forms, please contact Erich Cleaver at (502) 564-8158, extension 4917, or me at extension 4923.

Sincerely,

Vickie L. Prather, Supervisor
Division of Water, Surface Water Permits Branch, PS Section

VLP:ASW:asw

Enclosures
C: TEMPO



Box 2947 • Pikeville, Kentucky 41502-2947

NOTICE TO CUSTOMER

The purchase of an indemnity bond will be required before any check on this bank will be replaced or refunded in the event it is lost, misplaced, or stolen.

OFFICER #

017

1224459

PAY TO THE ORDER OF KENTUCKY STATE TREASURER

February 08, 2010

73-269/421

*****660.00

SIX HUNDRED SIXTY DOLLARS AND ZERO CENTS

DOLLARS

CASHIER'S CHECK

TWO SIGNATURES REQUIRED IF GREATER THAN \$5,000.00

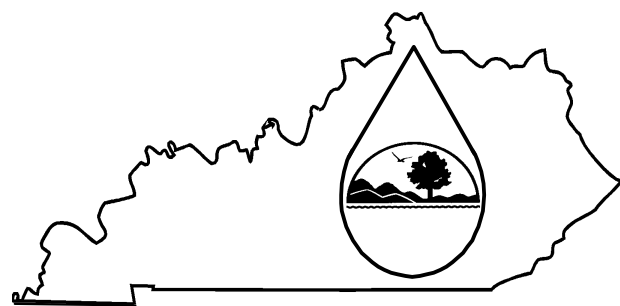
REMITTER CLINTWOOD ELKHORN

FOR KPDES-MILLARD PLANT #898-8157

David L. Wright

⑈1224459⑈ ⑆042102694⑆ 0000091115⑈

KPDES FORM 1



KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT APPLICATION

This is an application to: (check one)

- ☐ Apply for a new permit.
☒ Apply for reissuance of expiring permit.
☐ Apply for a construction permit.
☐ Modify an existing permit.

Give reason for modification under Item II.A.

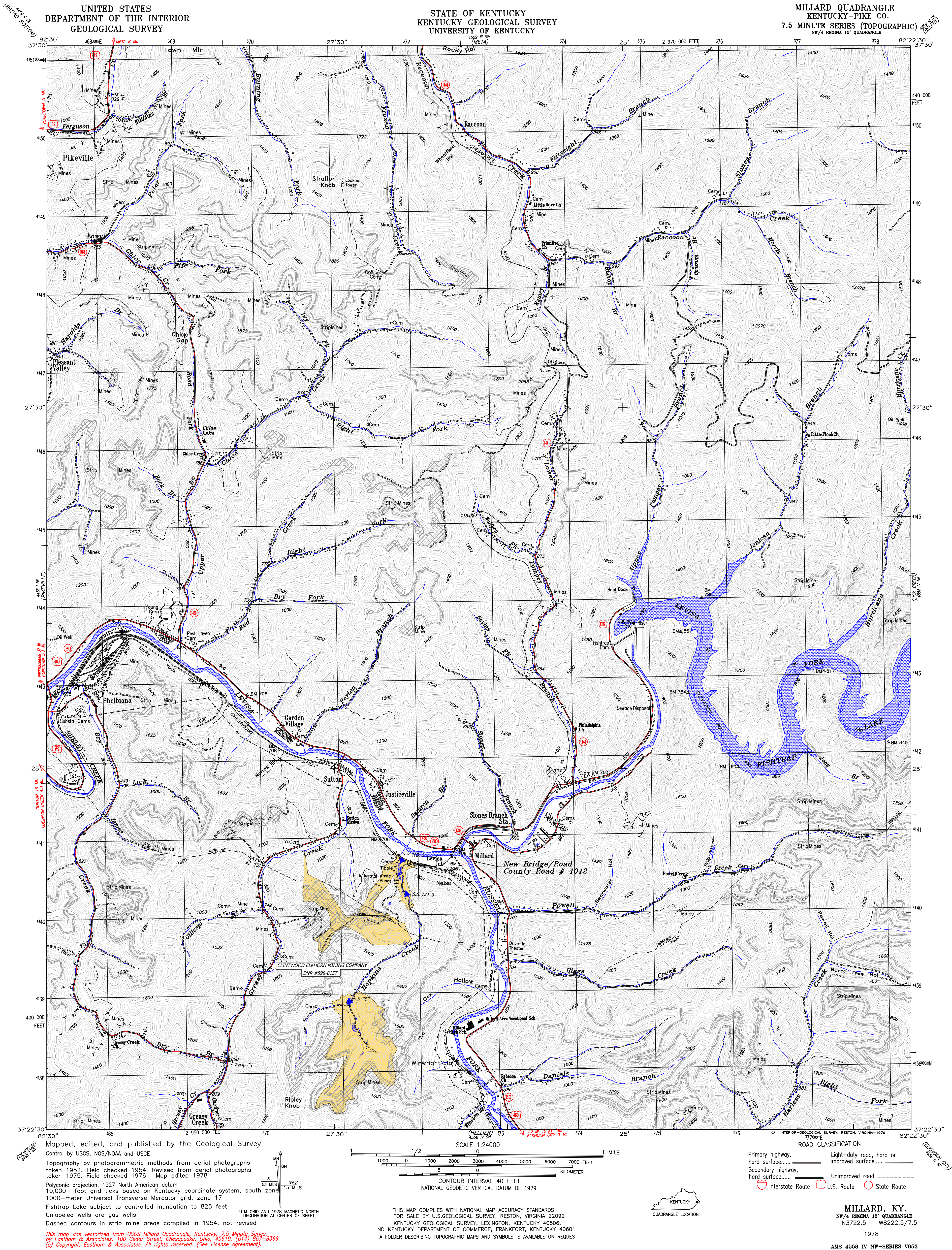
A complete application consists of this form and one of the following:

Form A, Form B, Form C, Form F, or Form SC

For additional information contact:

Surface Water Permits Branch (502) 564-3410

I. FACILITY LOCATION AND CONTACT INFORMATION		AGENCY USE							
A. Name of Business, Municipality, Company, Etc. Requesting Permit Clintwood Elkhorn Mining Company									
B. Facility Name and Location					C. Primary Mailing Address (all facility correspondence will be sent to this address). Include owner's mailing address (if different) in D.				
Facility Location Name: 898-8157 (Millard Prep Plant)					Facility Contact Name and Title: Mr. <input checked="" type="checkbox"/> Ms. <input type="checkbox"/> Dean Childress, Company Engineer				
Facility Location Address (i.e. street, road, etc., not P.O. Box): U.S. Route 460, Hopkins Creek Road					Mailing Address: 23956 State Hwy 194 East				
Facility Location City, State, Zip Code: Pikeville, KY 41501					Mailing City, State, Zip Code: Feds Creek, KY 41524				
D. Owner's name (if not the same as in part A and C):					Facility Contact Telephone Number: (606) 835-4006				
Owner's Mailing Address: 23956 State Hwy 194 East Feds Creek, KY 41524					Owner's Telephone Number (if different):				
II. FACILITY DESCRIPTION									
A. Provide a brief description of activities, products, etc: Coal Mining – Sediment control structures for a coal preparation plant									
B. Standard Industrial Classification (SIC) Code and Description									
Principal SIC Code & Description:		1211 - Bituminous Coal Preparation Plant							
Other SIC Codes:									
III. FACILITY LOCATION									
A. Attach a U.S. Geological Survey 7 1/2 minute quadrangle map for the site. (See instructions)									
B. County where facility is located: Pike					City where facility is located (if applicable): Millard				
C. Body of water receiving discharge: Russell Fork of Levisa Fork of Big Sandy River									
D. Facility Site Latitude (degrees, minutes, seconds): 37-24-23					Facility Site Longitude (degrees, minutes, seconds): 82-26-59				
E. Method used to obtain latitude & longitude (see instructions): Topo map coordinates									



IV. OWNER/OPERATOR INFORMATION**A. Type of Ownership:**☒ Publicly Owned ☐ Privately Owned ☐ State Owned ☐ Both Public and Private Owned ☐ Federally owned**B. Operator Contact Information (See instructions)**

Name of Treatment Plant Operator:

N/A

Telephone Number:

Operator Mailing Address (Street):

Operator Mailing Address (City, State, Zip Code):

Is the operator also the owner?

Yes ☐ No ☐

Certification Class:

Is the operator certified? If yes, list certification class and number below.

Yes ☐ No ☐

Certification Number:

V. EXISTING ENVIRONMENTAL PERMITS

Current NPDES Number:

KY0023965

Issue Date of Current Permit:

11/10/2005

Expiration Date of Current Permit:

8/31/2010

Other DOW Operational Permit #:

Kentucky DMR Permit Number(s):

898-8157

Sludge Disposal Permit Number:

Other Existing Environmental Permit #:

Other Existing Environmental Permit #:

Other Existing Environmental Permit #:

Which of the following additional environmental permit/registration categories will also apply to this facility?

CATEGORY	EXISTING PERMIT WITH NO.	PERMIT NEEDED WITH PLANNED APPLICATION DATE
Air Emission Source	Air Quality Permit #S-98-038	
Solid or Special Waste		
Hazardous Waste - Registration or Permit		

VI. DISCHARGE MONITORING REPORTS (DMRs)

KPDES permit holders are required to submit DMRs to the Division of Water on a regular schedule (as defined by the KPDES permit). Information in this section serves to specifically identify the name and telephone number of the DMR official and the DMR mailing address (if different from the primary mailing address in Section I.C).

A. DMR Official (i.e., the department, office or individual designated as responsible for submitting DMR forms to the Division of Water):

Gary B. Cox, Operations Manager

DMR Official Telephone Number:

(606) 835-4006

B. DMR Mailing Address:

- Address the Division of Water will use to mail DMR forms (if different from mailing address in Section I.C), or
- Contact address if another individual, company, laboratory, etc. completes DMRs for you; e.g., contract laboratory address.

DMR Mailing Name:

DMR Mailing Address:

DMR Mailing City, State, Zip Code:

VII. APPLICATION FILING FEE

KPDES regulations require that a permit applicant pay an application filing fee equal to twenty percent of the permit base fee. Please examine the base and filing fees listed in "Form 1 Instructions" and enclose a check payable to "Kentucky State Treasurer" for the appropriate amount. For permit renewals, please include the KPDES permit number on the check to ensure proper crediting. Please see the separate document "General Instructions" for an expanded description of the base fee amounts.

Facility Fee Category:

Surface Mining Operation

Filing Fee Enclosed:

\$660.00

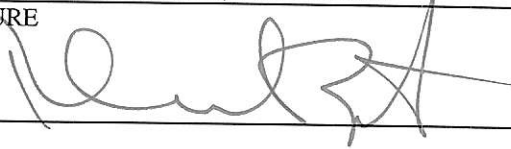
VIII. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE (type or print):

Mr. ☒ Ms. ☐ Robert J. Zik, Vice-President

SIGNATURE



PHONE NUMBER: (606) 523-4444

EMAIL: rjzik@tecoenergy.com

DATE:

1-28-2010

Return completed application form and attachments to: **Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, KY 40601. Direct questions to: Surface Water Permits Branch at (502) 564-3410.**